

Art Unit: 1642

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffery Mann on 5/26/2010.

The application has been amended as follows:

Claim 38 (Canceled).

Claim 43 (Currently Amended) A method of treating a subject with cancer by administration of a macrocyclic metal chelate, said method comprising the steps of:

(a) administering to said subject an antibody comprising an antigen recognition domain that recognizes said macrocyclic metal chelate, wherein said antibody comprises:

i) a light chain comprising:

a) a first CDR having the sequence of SEQ ID NO:2;

b) a second CDR having a sequence selected from the group consisting of:

i) SEQ ID NO:3; and

ii) SEQ ID NO:3 containing a cysteine substitution wherein position 2 is substituted by a cysteine;

c) a third CDR having the sequence of SEQ ID NO:4;

ii) a heavy chain comprising:

a) a first CDR having the sequence of SEQ ID NO:6;

b) a second CDR having a sequence selected from the group consisting of:

i) SEQ ID NO:7;

ii) SEQ ID NO: 7 containing a cysteine substitution wherein position 5 has been substituted by a cysteine;

iii) SEQ ID NO:7 containing a cysteine substitution wherein position 6 has been substituted by a cysteine; and

Art Unit: 1642

- iv) SEQ ID NO:7 containing a cysteine substitution wherein position 7 has been substituted by a cysteine;
 - c) a third CDR having the sequence of SEQ ID NO:8; wherein said antibody comprises at least one of said cysteine substitutions, and wherein said antibody binds substituted or unsubstituted 1,4,7,10-tetraazacyclododecane-N,N',N'',N'''-tetraacetic acid (DOTA); and
- a targeting moiety that binds specifically to a cancer cell by binding with a member selected from a cell surface receptor and cell surface antigen, thereby forming a cell-antibody complex; and
- (b) administering to said subject said macrocyclic metal chelate, ~~thereby forming a covalent bond between said reactive site and said reactive functional group wherein the macrocyclic metal chelate is a substituted or unsubstituted 1,4,7,10-tetraazacyclododecane-N,N',N'',N'''-tetraacetic acid (DOTA) complexed to a metal ion.~~

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRANDON J. FETTEROLF whose telephone number is (571)272-2919.

The examiner can normally be reached on Monday through Friday from 7:30 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms can be reached on 571-272-0832. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/625,047

Page 4

Art Unit: 1642

Brandon J Fetterolf
Primary Examiner
Art Unit 1642

/Brandon J Fetterolf/
Primary Examiner, Art Unit 1642